

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Gaston, et al. v. The Islamic Republic of Iran</i>	1:18-cv-12337 (GBD)(SN) ECF Case

**ATTORNEY DECLARATION**

Austin Estelle, Esq., hereby states under penalty of perjury that:

1. I am an attorney representing Plaintiff Beatrice Gaston and family members of Betsy Martinez (whose cases are associated with *Gaston*) in the above-captioned litigation and I submit this declaration in support of the motion for default judgment and for permission to allow any remaining *Gaston* plaintiffs to move for the same relief in separate stages.
2. The source of my information and the basis for my belief in my statements is my personal involvement in this matter; my firm's involvement in other litigation involving 28 U.S.C. § 1605A for the past 15 years; my firm's representation of Ms. Gaston in connection with the September 11th litigation; communications directly with Ms. Gaston and other family members of individuals killed in the attacks on September 11th; official records provided by claimants; and other court records relating to the multi-district litigation to which Ms. Gaston is a party. Any matters about which I lack personal knowledge are asserted herein upon information and belief.
3. I have been retained individually by Ms. Gaston, and the other *Gaston* plaintiffs, to pursue recovery for their solatium losses arising out of the deaths of their loved ones on September 11, 2001. My office has verified that Ms. Gaston or any of the family members have not

recovered damages previously, nor do they have any other pending motion before this Court for compensation arising out of the September 11th attacks.

4. Ms. Beatrice Gaston is a citizen of the United States and is the sibling of Betsy Martinez, an individual who died in the September 11<sup>th</sup> attacks. Ms. Beatrice Gaston's relationship to Betsy Martinez has been personally verified by attorneys and paralegals in my office and the office of our co-counsel the Miller Della Ferra that have obtained written documentation and/or conducted interviews confirming the nature of her relationship to Betsy Martinez.
5. As the sibling of Betsy Martinez, Ms. Beatrice Gaston satisfies the framework established by this Court and sufficiently shows that she is eligible for solatium damages.
6. Ms. Francis Gaston is a citizen of the United States and is the sibling of Betsy Martinez, an individual who died in the September 11<sup>th</sup> attacks. Ms. Francis Gaston's relationship to Betsy Martinez has been personally verified by attorneys and paralegals in my office and the office of our co-counsel the Miller Della Ferra that have obtained written documentation and/or conducted interviews confirming the nature of her relationship to Betsy Martinez.
7. As the sibling of Betsy Martinez, Ms. Francis Gaston satisfies the framework established by this Court and sufficiently shows that she is eligible for solatium damages.
8. Ms. Maria Gaston is a citizen of the United States and is the sibling of Betsy Martinez, an individual who died in the September 11<sup>th</sup> attacks. Ms. Maria Gaston's relationship to Betsy Martinez has been personally verified by attorneys and paralegals in my office and the office of our co-counsel the Miller Della Ferra that have obtained written documentation and/or conducted interviews confirming the nature of her relationship to Betsy Martinez.
9. As the sibling of Betsy Martinez, Ms. Maria Gaston satisfies the framework established by this Court and sufficiently shows that she is eligible for solatium damages.

10. Georgina Gaston is a citizen of the United States and is the mother of Betsy Martinez, an individual who died in the September 11<sup>th</sup> attacks. Ms. Georgina Gaston's relationship to Betsy Martinez has been personally verified by attorneys and paralegals in my office and the office of our co-counsel the Miller Della Ferra that have obtained written documentation and/or conducted interviews confirming the nature of her relationship to Betsy Martinez.
11. As the mother of Betsy Martinez, Ms. Georgina Gaston satisfies the framework established by this Court and sufficiently shows that she is eligible for solatium damages.
12. Louis Gaston is a citizen of the United States and is the father of Betsy Martinez, an individual who died in the September 11<sup>th</sup> attacks. Mr. Louis Gaston's relationship to Betsy Martinez has been personally verified by attorneys and paralegals in my office and the office of our co-counsel the Miller Della Ferra that have obtained written documentation and/or conducted interviews confirming the nature of his relationship to Betsy Martinez. Luis Gaston passed in 2010 so his recovery is made by his estate.
13. As the father of Betsy Martinez, Mr. Louis Gaston satisfies the framework established by this Court and sufficiently shows that he is eligible for solatium damages.
14. Ariel Martinez is a citizen of the United States and is the child of Betsy Martinez, an individual who died in the September 11<sup>th</sup> attacks. Ms. Ariel Martinez's relationship to Betsy Martinez has been personally verified by attorneys and paralegals in my office and the office of our co-counsel the Miller Della Ferra that have obtained written documentation and/or conducted interviews confirming the nature of her relationship to Betsy Martinez.
15. As the child of Betsy Martinez, Ms. Ariel Martinez satisfies the framework established by this Court and sufficiently shows that she is eligible for solatium damages.

16. To minimize the chance of any human error in submitting the instant motion, my firm has instituted a quality control process, during which an additional attorney and a paralegal review all case files and corroborate that the relationship as stated in this Declaration and that the claimants all survived the deaths of their loved ones on September 11, 2001.
17. Accordingly, I respectfully request that this Court grant the proposed default judgment.

Dated: January 16, 2023

Respectfully,

/s/ Austin Estelle

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# EXHIBIT A

<u>Name</u>	<u>State</u>	<u>Country</u>	<u>Relationship</u>	<u>Award</u>
Beatrice Gaston	NY	USA	Sibling	\$4,250,000
Francis Gaston	GA	USA	Sibling	\$4,250,000
Maria Gaston	AZ	USA	Sibling	\$4,250,000
Georgina Gaston	NY	USA	Parent	\$8,500,000
Louis Gaston (deceased in 2010)	NY	USA	Parent	\$8,500,000
Ariel Martinez	FL	USA	Child	\$8,500,000
Estate of Betsy Martinez	NY	USA	Decedent	\$8,500,000